

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

ANTHONY MARCHAN

PLAINTIFF

VS.

CASE NO. 04-CV-1124

ROGER EARL GANN

DEFENDANT

ORDER

Before the Court is a Motion to Remand filed on behalf of the Plaintiff Anthony Marchan. (Doc. No. 12). Plaintiff asks the Court to remand this action back to state court in light of the fact that Plaintiff has amended his Complaint limiting the amount of his damages to less than \$75,000. Upon consideration, the Court finds that it lacks jurisdiction of this matter in that the amount in controversy does not exceed \$75,000, the jurisdictional amount necessary for diversity jurisdiction in federal court. *See* 28 U.S.C. §1332. Therefore, Plaintiff's Motion to Remand should be and hereby is **granted**. The matter is hereby remanded to the Circuit Court of Columbia County, Arkansas for a proper adjudication of the issues in the case.

IT IS SO ORDERED, this 3rd day of February, 2006.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge